**AMENDMENT TRANSMITTAL LETTER**Docket No.  
28594/35007AApplication No.  
09/400,769-Conf. #03787Filing Date  
September 22, 1999Examiner  
Hope A. RobinsonArt Unit  
1653

Applicant(s): Erik Helmerhorst et al.

Invention: USE OF NON-PEPTIDYL COMPOUNDS FOR THE TREATMENT OF INSULIN RELATED AILMENTS

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	33	- 47 =	0	x	
Independent Claims	3	- 3 =	0	x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

☐ Large Entity☒ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 13-2855  
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17 except the issue fee.

Greta E. Noland  
Greta E. Noland  
Attorney Reg. No.: 35,302

Dated: June 25, 2004

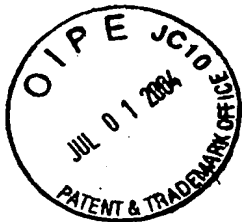
MARSHALL, GERSTEIN & BORUN LLP  
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Chicago, Illinois 60606-6357  
(312) 474-6300

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 25, 2004

Signature: Greta E. Noland

(Greta E. Noland)



PATENT

ATTORNEY DOCKET NO. 28594/35007A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Helmerhorst et al.

Application Serial No: 09/400,769

Filed: September 22, 1999

Title: Use of Non-Peptidyl Compounds  
For The Treatment of Insulin-Related  
Ailments

Group Art Unit: 1653

Examiner: H. Robinson

CERTIFICATE OF MAILING

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Greta E. Noland  
Greta E. Noland  
Reg. No. 35,302  
Agent for Applicants

AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated February 25, 2004 in the above-identified application. In the Action, pending claims 1-10, 16, 17 and 20-25 stand variously rejected under 35 U.S.C. §§ 102(a) and 112, second paragraph, while pending claims 32-47 are allowed. Reconsideration of the rejections is respectfully requested in view of the following remarks.